

Docket No.: CI-0001



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Wilson BURGESS, William N. DROHAN,
Martin J. MACPHEE, David M. MANN
and Ewa MADDUX

Serial No.: 09/925,619

Filed: August 10, 2001

For: METHODS FOR STERILIZING
BIOLOGICAL MATERIALS USING
DIPEPTIDE STABILIZERS

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: Group Art Unit: 1744
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: Examiner: To be assigned
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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. One copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the indicated date. Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, that information cited in the statement is considered to be and/or is material to patentability, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. §120. 1138 OG 37, 38 (May 19, 1992).

- X 1. This Information Disclosure Statement is being filed (i) within three months of the U.S. filing date of a U.S. application other than a CPA continued prosecution application under §1.53(d) OR (ii) within three months of the date of entry of the national stage as set forth in §1.491 in an international application OR (iii) before the mailing date of a first Office Action on the merits. No certification or fee is required. 37 C.F.R. §1.97(b).
- 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application. 37 C.F.R. §1.97(c).
- a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart

foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).

— b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

— c. Attached is our check no. _____ in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.

— 3. This Information Disclosure Statement is being filed after the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application, but on or before payment of the Issue Fee. Attached is our check no. ____ in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 37 C.F.R. §1.97(d).

— a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).

— b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

X 4. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



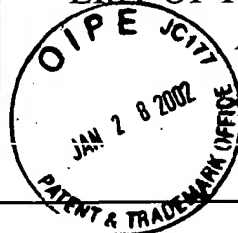
Mark L. Fleshner
Registration No. 34,596
Donald R. McPhail
Registration No. 35,811

Correspondence Address:
P.O. Box 221200
Chantilly, VA 20153-1200
Telephone: (703) 502-9440
Date: January 28, 2002

MLF:DRM:kpc

LIST OF PRIOR ART CITED BY
APPLICANT

(PTO-1449)

ATTY. DOCKET NO.
CI-0001APPLN. SERIAL NO.
09/925,619APPLICANT(S)
Wils n BURGESS, William N. DROHAN,
Martin J. MACPHEE, David M. MANN and Ewa
MADDOXFILING DATE
August 10, 2001GROUP
1744

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	*PATENT NO.	*ISSUE DATE	*INVENTOR NAME	CLASS	SUBCLASS	FILING DATE
	RE. 23,195	02/1950	Arno Brasch			
	2,832,689	04/1958	Bernard E. Proctor et al.			
	2,920,969	01/1960	E.S. Stoddard			
	2,962,380	11/1960	J.H. Wertheim			
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EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
	2,056,619	10/1991	Canada				
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	AABB FDA Liaison Meeting, ABC Newsletter, December 12, 1997, pp. 14
	Tikvah Alper et al., The Exceptionally Small Size of the Scrapie Agent, 1966, ppgs. 278-284, Biochemical and Biophysical Research Communications, Vol. 22, No. 3

EXAMINER	DATE CONSIDERED
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	4,409,105	10/1983	Hayashi et al.			
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	4,620,908	11/1986	Van Duzer			
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	4,933,145	06/1990	Uchida et al.			
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	Tikvah Alper et al., Does the Agent of Scrapie Replicate Without Nucleic Acid? May 20, 1967, pps. 764-766, Nature, Vol. 214
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	5,226,065	07/1993	Held et al.			
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	5,609,864	03/1997	Shanbrom			
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						Yes	No

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	Michael L. Baldwin et al., Irradiation of Blood Components, 1992, pps. 1-78, American Association of Blood Banks
	R.H. Bassin et al., Abrogation of Fv-1 Restriction With Murine Leukemia Viruses Inactivated by Heat or by Gamma Irradiation, May 1978, pps. 306-315, Journal of Virology, Vol. 26, No. 2
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				FILING DATE August 10, 2001		GROUP 1744	

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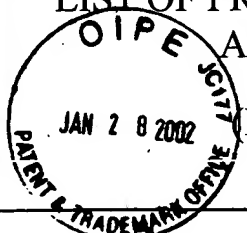
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	P. Brown, The Risk of Blood-Borne Creutzfeldt-Jakob Disease, 1999, pps. 53-59, Advances in Transfusion Safety Dev. Biol. Vol. 102
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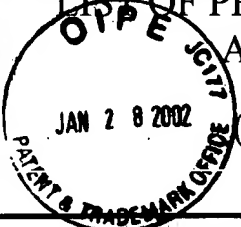
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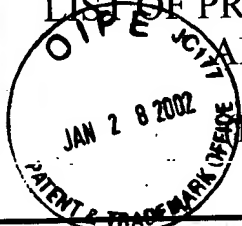
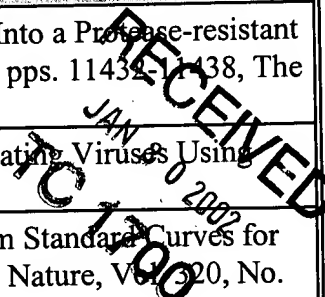
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	Derwent Publication - AN 2526936						
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EXAMINER				DATE CONSIDERED			

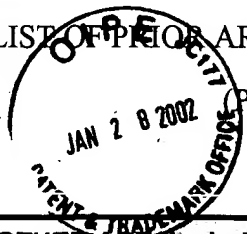
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OTHER ART (Including Author, Title, Date, Pertinent Pages, Publisher, Place of Publication, Etc.)			
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	E.S. Kempner et al., Size Determination of Enzymes by Radiation Inactivation, 1979, pps. 2-10, Analytical Biochemistry, Vol. 92		
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	A.D. Kitchen, Effect of Gamma Irradiation on the Human Immunodeficiency Virus and Human Coagulation Proteins, 1989, pps. 223-229, Vox Sang, Vol. 56		
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	Douglas C. Lee et al., A Direct Relationship Between the Partitioning of the Pathogenic Prion Protein and Transmissible Spongiform Encephalopathy Infectivity During the Purification of Plasma Proteins, April 2001, pps. 449-455, Transfusion, Vol. 41		
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	APPLICANT(S) Wills n H. BURGESS, William N. DROHAN, Martin J. MACPHEE, David M. MANN and Ewa MADDOX	
	FILING DATE August 10, 2001	GROUP 1744
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